

JCS95 U.S. PTO  
08/23/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney's Docket Number: 06843.0027-03000

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Prior Application: 08/702,367

Prior Art Unit: 1646

Prior Examiner: S. Teng

JCS19 U.S. PTO  
09/30/99

SIR: This is a request for filing a

☐ Continuation ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/702,367 filed August 21, 1996 of Gary M. Fox, et al. for NUCLEIC ACIDS ENCODING EPH-LIKE RECEPTOR TYROSINE KINASES.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/702,367 as originally filed on August 21, 1996.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☒ Cancel Claims 3-17.
4. ☐ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 3 and 4 above.

For	Number Filed	Number Extra	Rate	Basic Fee
Total				\$760.00
Claims	19 -20=	0	x\$ 18.00=	\$ 0
Independent				
Claims	6 -3=	3	x\$ 78.00=	\$234.00
Multiple Dependent Claim(s) (if applicable)				+\$260.00=
Total				= \$994.00
Reduction by 1/2 for filing by small entity				-

TOTAL FILING FEE = : \$994.00

6. ☒ A check in the amount of \$ 994.00 to cover the filing fee is enclosed.
7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☒ Amend the specification by inserting before the first line, the sentence:  
  
--This is a division of application Serial No. 08/702,367, filed August 21, 1996, which is a continuation of application Serial No. 08/229,509, filed April 15, 1994. The contents of U.S. Application Serial No. 08/702,367 are being relied upon and are incorporated herein by reference.
9. ☒ Since applicants intend the present divisional application to have the same disclosure as parent application Serial No. 08/702,367, that application has been incorporated by reference into this application in an abundance of caution in the event that any of the disclosure of Serial No. 08/702,367 is inadvertently omitted in this submission. That incorporation by reference should not necessitate a new oath or declaration, since the declaration (a copy of which is enclosed) already was executed for the disclosure of Serial No 08/702,367.
9. ☐ New formal drawings are enclosed.
10. ☒ The prior application is assigned of record to: Amgen Inc.
11. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119. A certified copy  
  
☐ is enclosed or ☐ is on file in the prior application.
12. ☐ A verified statement claiming small entity status  
  
☐ is enclosed or ☐ is on file in the prior application.

## LAW OFFICES

FINNEGAN, HENDERSON,  
FARABOW, GARRETT  
& DUNNER, L.L.P.  
1300 I STREET, N. W.  
WASHINGTON, D. C. 20005  
202-408-4000

13. ☒

The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Walter Y. Boyd, Jr., Reg. No. 31,738; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Roger D. Taylor, Reg. 28,992; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Dirk D. Thomas, Reg. No. 32,600; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanhon Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33, 921; and James B. Monroe, Reg. No. 33,971.

14. ☐

The power appears in the original declaration of the prior application.

## LAW OFFICES

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202-408-4000

15. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
16. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315.
17. ☒ Recognize as associate attorney Vanessa B. Pierce, Finnegan, Henderson, Farabow, Garrett & Dunner, 1300 "I" Street, N.W., Washington, D.C. , 20005; Reg. No. 42,074  
(name, address & Reg. No.)
18. ☐ Also enclosed is \_\_\_\_\_

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/702,367, filed August 21, 1996, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. **A duplicate copy of this paper is enclosed for use in charging the deposit account.**

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By: Vanessa B. Pierce for  
M. Paul Barker  
Reg. No.: 32,013

Date: August 20, 1999